

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SANDRA L. FERGUSON,

Case No. C17-1685RSM

Plaintiff,

MINUTE ORDER STRIKING  
PLAINTIFF'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT

V.

## BRIAN J. WAID AND THE WAID MARITAL COMMUNITY.

## Defendants.

The following MINUTE ORDER is made by direction of the Court, the Honorable Ricardo S. Martinez, Chief United States District Judge:

On March 20, 2018, Plaintiff Sandra Ferguson filed a Motion for Partial Summary Judgment in this case. Dkt. #42. Ms. Ferguson attached a declaration, Dkt. #42-1, and 28 exhibits to this filing, Dkts. #42-2 through #42-29. These exhibits were titled Exhibits A through Z, except Exhibit A was broken into three parts, and totaled 1,911 pages. That same day, Ms. Ferguson filed further exhibits totalling 639 pages. Dkts. #43 and #43-1 through #43-16. These were titled Exhibits 1 through 8 and Appendix 1 through 11, although Appendix 1 through 3 were filed in one document. Two days later, on March 22, 2018, Ms. Ferguson filed a “Second Declaration of Sandra L. Ferguson” that relists Exhibits A through Z and 1 through 8 and appears to withdraw Exhibit 8 and Exhibit Z and replace Exhibit Y with a corrected

1 version. Dkt. #48. An hour later that same day, Ms. Ferguson filed a “Third Declaration of  
2 Sandra L. Ferguson,” that states “[a]ttached hereto are true copies of the following documents  
3 which comprise the Appendix Parts 1 through 11...” however there are no attached documents.  
4 Dkt. #49. The following day, March 23, 2018, Ms. Ferguson filed an 85-page “Fourth  
5 Declaration of Sandra L. Ferguson” that appears to withdraw Dkts. #48 and #48-1 and replace  
6 exhibits U through Y. Dkt #50. Just minutes later, Ms. Ferguson filed another “Fourth  
7 Declaration of Sandra L. Ferguson” that begins:

8 I filed Docket 50 (main document) with attachments 51-1, 51-2,  
9 51-3, 51-4, and 51-5 attached thereto. There was a problem with  
10 Docket 50, only. Therefore, this document is submitted as a  
11 replacement for Dkt. 50. I hereby withdraw the previously-filed  
12 docket #50, but I do not withdraw the attachments 1-5 to docket  
13 50, which belong with this replacement documents declaration.

14 Dkt. #51.

15 The above filings have created significant confusion for the Court and likely any person  
16 attempting to decipher what is and is not an exhibit in support of Ms. Ferguson’s Motion. The  
17 Court also notes several procedural errors with these filings. Ms. Ferguson has not followed  
18 the Court’s *praeceipe* procedure for filing corrections or additions to the record, *see* LCR 7(m).  
19 Ms. Ferguson has submitted several of the above declarations without signing them under  
20 penalty of perjury as required by this Court. *See* Dkts. #48, #49, and #51. Perhaps most  
21 critically, Ms. Ferguson’s underlying Motion for Partial Summary Judgment is not signed by  
22 Ms. Ferguson as required by Federal Rule of Civil Procedure 11(a). *See* Dkt. #42 at 25.

23 After the drafting of this Minute Order but before it was posted, Ms. Ferguson filed yet  
24 another correction, styled as a *praeceipe*, asking the Clerk of the Court to replace Dkt. #42-1  
25 with an attached amended declaration. Dkt. #52. This filing makes no mention of the above  
26 additional filings, and fails to explain why Ms. Ferguson is correcting her filings daily.

1 Given all of the above, the Court hereby STRIKES all of the above filings (Dkts. #42,  
2 #43, #48, #49, #50, #51, and #52). Defendant need not respond to Ms. Ferguson's Motion for  
3 Partial Summary Judgment by the previous noting date. If Ms. Ferguson chooses to proceed  
4 with this Motion, she must refile according to the following procedures:

5 1) Ms. Ferguson's Motion for Partial Summary Judgment must be signed and noted for  
6 consideration based on the new filing date;

7 2) Ms. Ferguson must file a new declaration attaching the corrected versions of all of her  
8 supporting exhibits A through Z, a separate declaration attaching the corrected versions  
9 of her numbered exhibits, and a separate declaration attaching the corrected version of  
10 her appendix exhibits;

11 3) Every declaration must be made under penalty of perjury;

12 4) Ms. Ferguson is not permitted to file any further praecipes related to this Motion  
13 without leave of the Court, *see* LCR 7(m) ([p]arties are expected to file accurate,  
14 complete documents, and the failure to do so may result in the court's refusal to  
15 consider later filed corrections or additions to the record);

16 5) Ms. Ferguson need not refile the declaration of Kany M. Levine, Dkt. #44;

17 6) Ms. Ferguson must provide a courtesy copy to the Court of all new filings a day after  
18 filing as required by LCR 10(e)(9).

19 Failure to follow the above rules will result in the Court striking this Motion again.

20 DATED this 26<sup>th</sup> day of March, 2018.

21 WILLIAM McCOOL, Clerk

22 By: /s/ Paula McNabb  
23 Deputy Clerk